

**Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting Minutes
Wednesday, August 19, 2009**

Town Plan Commission (TPC) Members Present: Ted Pallas; Chair, Charles Brummer (CBr); Vice-Chair, Larry Whalen (leaves at 5:30 and returns at 6:08), Greg Thury, Suellen Soucek, Ron Madich, Carey Baxter (CBx) (7)

Town Plan Commission Members Absent: none

Public Present: Mike Starck, Paul Brummer, Jim Ryder, Liz Ryder (4)

Town Staff Members Present: Jennifer Croonborg; ZA, Jessica Hatch; ZCA (2)

I. Call to Order/Roll Call

Chair, T. Pallas called the meeting to order at 5 pm at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

- Mike Starck comments on the Gates' application trying to clarify for the TPC what they are requesting.
- Commissioner Larry Whalen explains that he must leave the meeting from about 5:25 till 6:00 and wants to comment on the definitions for width and depth and lot in case he is not present when it is spoken about. He feels we need to re-write our definitions for these terms as they rely on each other for definitions. For instance width depends on the calculation of the mean of the depth and the depth depends on the calculation of the mean of the width.
- Jim Ryder requests to move his agenda item up next. Commissioners are willing to allow this.

G. Thury moves that we move "Item VII a" under "New Business" to come right after "Item II" "Public Comment" and then continue the agenda from that point. L. Whalen seconds. All in favor, 7 aye. Motion Carries.

VII. New Business

- a. **James Ryder & Elizabeth Ryder letter dated 7-31-09 re: reconfiguration of parcels 014- 00118-1400, 014-00118-1800, and 014-00118-1600 located on corner of Snowplace Road and Big Bay Road**

ZA gives input on this matter detailing the facts. A letter was received in the Zoning Office dated July 31, 2009 from the Ryder's requesting the Town Plan Commission approve the Certified Survey Map and to recommend to the Town of La Pointe Board of Supervisors to approve the same. ZA explains issues with this request, quoting both Town of La Pointe's Technical Memorandum #3 Subdivision Ordinance and Wisconsin State Statute (236.34). ZA deems this application incomplete and unreviewable at this time. Chair and Mr. Ryder have dialogue regarding Ryder's past request for reconfiguration of his lots; which are in violation, it is discussed how his requests differs now. Mr. Ryder states that this one is similar, but it is different. Chair explains that if this is not the same map or a preliminary survey map then there is a definite process to go through. However, there is a moratorium on Section 4.3.3 of our Ordinance regarding "Grandfathered Lots" thus Chair says there is nothing to be done at this time with this request. Mr. Ryder realizes he meant to call this request a "preliminary CSM." There is much discussion regarding the history of Ryder's lots and past requests. It is suggested that Ryder join lots 1 and 2 to come into compliance. Ryder prefers not to do this.

Commissioner Whalen leaves meeting at 5:30 PM.

Discussion continues. It is decided there is no motion to be made at this time. If Ryder would like to bring this issue to the Town Board he must make a request with the Town Clerk to appear on the Town Board agenda.

G. Thury moves that we resume the agenda as it's listed thus moving back to Item III, "Approval of Previous Meeting Minutes." S. Soucek seconds. All in favor, 6 aye. (LW not present) Motion Carries.

III. Approval of Previous Meeting Minutes

Chair makes note that the minutes for July 30, 2009 Workshop is not on the agenda, this item will be on the next Special Monthly Meeting agenda for approval.

a. Town Plan Commission Special Monthly Meeting August 5, 2009

Amendments are as follows: (1) under "New Business c." change "they must be in setbacks" to "they must meet setbacks;" under "Old Business c.1." delete "on" so first sentence reads, "...recommend to the Town Board..." under "New Business a." in the seventh sentence change "TPC support" to "TPC supports..." change the last sentence before the motion from "...of our decision she then has..." to "...of our decision. She then has..." S. Soucek moves to approve the Special Monthly Meeting of Wednesday, August 5, 2009 as amended. C. Brummer seconds. All in favor, 6 aye. (LW not present). Motion Carries.

b. Town Plan Commission Workshop August 13, 2009

G. Thury moves we approve the Town Plan Commission workshop minutes of Thursday, August 13, 2009 as submitted. S. Soucek seconds. All in favor, 6 aye. (LW is not present). Motion Carries.

VI. Zoning Administrator's Report

Report has been accepted by Town Board and is on file.

V. Consideration and/or Action of Permit Applications:

a. Gates, Lorne/Patricia re: Single Family Dwelling at 661 Spruce Lane

ZA did a site inspection, the lot was staked and setbacks are met. She asks for input from the TPC regarding rear setback lines. Discussion regarding the history of the subdivision ensues. ZA feels she can approve this application; however there is major concern that our definitions for "lot width" and "lot depth" are impossible to interpret. TPC agree and discuss the history of this issue. There was general consensus of the Commission that the application is approvable. These definitions will be addressed during TPC Workshops.

VI. Old Business

a. Review of Town Plan Commission By-Laws and report from Commissioner Whalen regarding Robert's Rules of Order- Possible action to amend By-Laws

An opinion from the Town's Association was received. There should be a procedure to replace the present one, at this time there is not one; this will be addressed in the future.

b. Draft of Camping Unit Registration and Sanitary Maintenance Agreement Form

Mr. Paul Brummer submitted information to the ZA which was distributed to the TPC. The issue of Porta-Potties as a permanent sanitary system is discussed as our Ordinance now allows.

Commissioner Whalen returns at 6:08 PM.

The legality of having this sort of sanitation as permanent is in question. They are not permitted in Ashland County as permanent sanitation. Our Sanitary Department expresses issues with Porta-Potties. ZA explains they cause multi-jurisdiction complications. This issue of Sanitation and our Camping Ordinance will be addressed by the TPC in the future. Composting Toilets not being listed as allowed permanent sanitation is discussed and will be addressed.

c. Zoning Ordinance Revision Project

1. Zoning Ordinance Section 3 "Zoning Districts"

Commissioner Soucek feels “Facility” needs to be defined regarding “Recreation Facility.” ZA expresses it would be good to have a progress report of the TPC’s progression on this project. ZCA will create a working edited version the Ordinance showing deleted and added changes.

2. **Zoning Ordinance “Zoning Schedules-Dimensional Requirements”**
See above.

VII. New Business

- a. **James Ryder & Elizabeth Ryder letter dated 7-31-09 re: reconfiguration of parcels 014- 00118-1400, 014-00118-1800, and 014-00118-1600 located on corner of Snowplace Road and Big Bay Road**

This item was moved to follow after agenda item II.

VIII. Future Agenda Items- Next Special Monthly Meeting

- Approval of TPC July 30, 2009 Workshop
- Robert’s Rules
- Zoning Ordinance Revision Project

Chair notifies the ZCA to add to the bottom of future agendas the note regarding “Quorums.”

IX. Schedule of Next Meeting

- July 27, 2009 Workshop @ 1 PM @ Town Hall
- September 2, 2009 Special Monthly Meeting @ 5 PM @ Town Hall

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor, 7 aye. Motion Carries.

Draft Town Plan Commission Minutes respectfully submitted by Zoning Clerical Assistant, Jessica L. Hatch on Thursday, August 27, 2009.

Town Plan Commission minutes are approved as amended by ZCA J.L. Hatch on Wednesday, September 02, 2009.